



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/660,963	09/12/2003	Terry O'Halloran	6600-20	6345

39207 7590 11/02/2006

SACCO & ASSOCIATES, PA
P.O. BOX 30999
PALM BEACH GARDENS, FL 33420-0999

EXAMINER

WEBER, CHRISTOPHER STEVEN

ART UNIT	PAPER NUMBER
----------	--------------

3714

DATE MAILED: 11/02/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/660,963

Applicant(s)

O'HALLORAN, TERRY

Examiner

Christopher S. Weber

Art Unit

3714

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 January 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09/12/2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Objections

Claim 8 is objected to because of the following informalities: Claim 8 states "A method as claimed in claim 8." Claim 8 immediately follows the first method independent claim, claim 7. Examiner will treat claim 8 as if it reads "A method as claimed in claim 7." Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-3, 6-8, and 11 are rejected under 35 U.S.C. 102(b) as being anticipated by Hagiwara 4,805,907.

In regards to claim 1, Hagiwara '907 discloses a processing means, CPU, (11) Fig 2 that determines the result of a slot machine game (1) fig 1. Column 3 lines 28-31. Hagiwara '907 discloses a plurality of individual terminals (subordinate machines) Fig 1, 9a-c, linked via a communication means (3), (5), and (4a-c). Hagiwara '907 further discloses that the outcome of each terminal is solely dependent on the single, communal result of the processing means.

In regards to claim 2, Hagiwara '907 column 3, lines 7-31, discloses that the processing means, (11) fig 2, determines the individual payout for each terminal, (9a-c) fig 1, based on the communal result and the wager made at each terminal.

In regards to claim 3, Hagiwara '907 discloses the use of at least one display to display the single communal result, (6), (7a-c), Fig 1.

In regards to claim 6, Hagiwara '907 column 2, lines 44-51, discloses demonstrating the game on the display to assist the players at each terminal how to play the game, including placing wagers.

In regards to claim 7, Hagiwara '907 Column 3 lines 7-31 discloses a method of operating a gaming machine having a processing means, CPU, and a plurality of terminals, subordinate machines, where at least one player makes a wager at a terminal, the processing means determines the result and provides said result to the plurality of terminals and awards any payout to said at least one player dependent on the single results and wager made by said player.

In regards to claim 8, Hagiwara '907 Column 3, lines 18-21 discloses displaying the communal result on a display (6) Fig 1.

In regards to claim 11, Hagiwara '907 Column 3 lines 7-31 discloses a method of operating a gaming machine having a processing means, CPU, and a plurality of terminals, subordinate machines, where at least one player makes a wager at a terminal, the processing means determines the result and provides said result to the plurality of terminals and awards any payout to said at least one player dependent on the single results and wager made by said player. Hagiwara '907 discloses that any embodiment of one main machine with a plurality of subordinate machines could be used Column 3 lines 32-36. This would include the method of using a plurality of moving reels, column 3 line 44.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

Claims 4,5, 9 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hagiwara 4,805,907 in view of Bursil 10/381,682. Hagiwara '907 discloses a gaming machine and method for operating a gaming machine including a processing means, CPU, for determining the result of a slot machine game, a plurality of subordinate machines, terminals, linked to the CPU and the outcome at each terminal is based solely on the single result as determined by the CPU. The single result is displayed and the payout at each subordinate machine is based on the single result from the CPU and the individual wager.

Hagiwara '907 does not disclose determining the single communal result at predetermined intervals, displaying the time remaining until the next result, or using the subordinate machine to display data such as previous communal results.

Bursill 10/381,682 discloses a different communal game of chance, roulette. In one embodiment of the Bursill '682 players remotely join in a live roulette game. They are provided with a display which show time remaining until next spin as well as the result of previous spins. Page 3, Paragraph 0046. It further discloses that after the time remaining is up the wheel is set spinning and the clock is reset to wait for the next communal result. Page 3 Paragraph 0048.

It would be obvious to one of ordinary skill in the art at the time of the invention to combine the timing function and result history function of the Bursil '682 communal game of chance with the Hagiwara '907 game of chance. Bursil '682 discloses that a timing function is used to assist the players with betting. By combining the timing function with the Hagiwara '907 game of chance the players would know how much longer they have to bet as well as know the time remaining to get their co-players to bet furthering the excitement and feeling of togetherness that Hagiwara talks about. Bursil '682 also discloses that game history assists players. By combining the game history function with Hagiwara '907 the players would be able to better decide whether they wanted to play on these machines as well as how much to bet.

Citations of prior art not relied on

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

Bursill 10/471,683. Bursill '683 discloses a gaming machine system where multiple players bet on a slot machine game and the single result determines the

outcome. The players use their computers as individual terminals and remotely wager on a slot machine game.

Cannon et al. 09/864,927. Cannon '927 discloses a gaming machine apparatus with tournament play feature. Cannon '927 discloses using a timing function to alert players when the next tournament will begin and tournament automatically starts when the time is up.

Lowden 5,630,586. Lowden '586 discloses a multiplayer combined slot machine table game. Each player is affected by his or her individual wager, a communal result, and some player input.

Weiss 6,077,162. Weiss '162 discloses a communal slot machine game where each player is awarded a share in communal winnings depending on outcome of the random event and individual wager.

Okada 6,626,761. Okada '761 discloses assisting players based on game history.

Holch 5,674,128. Holch '128 discloses a single machine driving a variety of games of chance on a plurality of terminals. A random number is generated at predetermined intervals and that single result determines the outcome at each station in conjunction with individual wager, game being played, and player input.

Walker 6,142,872. Walker '872 discloses a communal slot machine game where each player is awarded a share in communal winnings depending on outcome of the random event and individual wager.

Art Unit: 3714

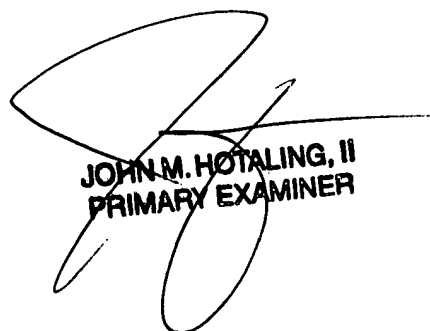
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher S. Weber whose telephone number is 571-272-3064. The examiner can normally be reached on Monday - Friday 8am - 4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John M. Hotaling can be reached on 571-272-4437. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

CSW



JOHN M. HOTALING, II
PRIMARY EXAMINER